

I am often humbled by the willingness of my students to identify with the suffering of others. The ability to imagine what it feels like to be someone else, particularly someone else who is oppressed and in pain, is by no means restricted to youth, but my students demonstrate a ready openness to recognizing how even their own lives are made more comfortable because others are oppressed, an uncomfortable reality that official discourse and corporate media strive to mask — and one all too many are content to avoid confronting. Even at Stanford, where one might expect to find many students who resist questioning their own comforts, my classrooms have been filled with empathic and activist voices that give me hope for the future. Defying the expectations of leaders and markets, many young people with whom I work are committing their lives to minimizing the ways in which they benefit from the suffering of others. The forces of free trade and renewed imperialism typified by the Bush administration make such resistance difficult. Our opportunities, for example, to live without gasoline or buy local produce from sustainable and fair sources are shaped by virtually irresistible demands, such as the need to commute to generate an income in areas without public transit or the complete absence of grocery stores (let alone organic and fair trade food sources) in cities such as East Palo Alto, California where the only sources of food are fast food restaurants and liquor stores.

Yet despite the myriad ways in which we are prevented from fostering communities free of ties to oppression, a growing number of organized young people are making it their mission to do precisely that. And the most successful of these youth, many of whom are anarchists of color, are being targeted by the very forces of oppression they seek to resist. Harassed, monitored, demonized, and increasingly incarcerated, young anarchists of color like Sherman Austin are many. They represent the majority of the planet, which is not white, not affluent, and not content with the existing power relations that are forged on suffering and exploitation. Motivated by profound feelings of solidarity and love, young anarchists of color are also among the most tenderhearted and compassionate people I have met. Many of them eschew the exhortations of MTV and corporate fashion in favor of sweatshop-free and secondhand clothing, follow vegetarian or vegan diets, and participate in rigorous social justice work as activists, their determination every bit as strong as the love that engenders it. And yet they are routinely depicted by police, politicians, the official media, and even much of the progressive media as dangerous and threatening, even as terrorists, a distortion that would be laughable if it were not destroying many young lives. Perhaps no example of this is more troubling than the case of Sherman Austin, the 20 year-old Black anarchist and webmaster who is serving a one-year sentence in federal prison for the content

sequester their words and ideas away from larger audiences — the biggest differences, of course, being the extent to which and how they have been silenced. (Clear Channel banned all of Rage Against the Machine's songs in the aftermath of September 11; Sherman was placed in a federal prison and will be denied access to computers and the freedom to associate upon his release.)

The requirement of intent in Feinstein's law allows room for an incredible range of prosecutorial freedom to choose whose relationships to dangerous material can be interpreted as illegal. No one applied the law to de la Rocha, and no one applied it to those who, unlike de la Rocha and Sherman Austin, actually express an intent to carry out crimes of violence (federal or otherwise) when distributing their information on explosives. Sherman provided federal prosecutors (and the judge) with the perfect test case for using this law, flexing new USA PATRIOT ACT muscles, and assessing the deterrent impact a high-profile imprisonment might have on young activists. He was not only young, Black, an anarchist, and an activist, he and his single mother lacked the financial resources to hire legal counsel. And an institutional clumsiness (intentional or otherwise) with the technological aspects of the case helped to make sure that the fiction manufactured to explain Sherman's incarceration was removed enough from the pesky details of the truth so as to seem, at least on paper, compelling and reasonable.

Sherman started running www.raisethefist.com off a server in his bedroom when he was only sixteen years-old. The site featured news and commentary related to the anti-globalization movement, police brutality, racism, sexism, and other issues related to social justice. In addition to news stories, information on anarchism, links, and music, the site offered visitors with a space to post open announcements and messages, not unlike the self-publishing spaces available on indymedia sites. The design of the site and the opportunities it provided for young anarchists and activists to share ideas and organize protest actions attracted a heavy flow of visitors. By the time Sherman was eighteen, his site also received regular hits from the Departments of Justice and Defense, presumably because of the threat presented by its tremendous popularity and Sherman's success as a young activist.

Sherman's subsequent imprisonment has implications for all of us who express open and public dissent, and, therefore, looking at how federal prosecutors made their case against him in the context of fierce post-September 11 repression can serve as both a reminder of the urgent need to resist and a warning as to what kind of attacks we might anticipate. As such, we owe it to ourselves to examine how a little-known law was invoked, for the first time, to imprison this young man. We must also reflect on why our anarchist youth are

examples of how difficult it is to bring those responsible for suffering into a discussion of reparations, it is no wonder that we have yet, as adult society, to look at what we owe to children whom we abuse and abandon. No group is less able to communicate their experiences, and no group is more consistently vulnerable everywhere. And, in a very important way that makes the case of children markedly different, few other groups (and none as large as that of children) are, for a time, necessarily and appropriately dependent on those who have the power to hurt them. Because Sherman Austin is Black, a political dissident, an anarchist, and a young person, his case reveals a trajectory of needs I see as central to understanding why movements for reparations matter now more than ever.

Those who take their oppressors and abusers to court often encounter questions as to how one quantifies suffering and translates it into monetary damages. Such responses include outrage at the notion that any suffering so terrible could be assigned a monetary value (for no amount could ever be enough) and impatience at the plaintiff's refusal to move on and get over the past. The latter response often takes the form of condescension when directed at survivors of abuse. In the case of reparations for slavery, the refrain don't blame me for what my ancestors did is often used by many white people to cut off any substantive discussion of multigenerational slavery and its lingering effects. A nod from the White House acknowledging that slavery was wrong is surely not a bad thing, but it accomplishes little toward remedying the effects with which we still live. I am reminded of the response of University of Chicago Professor Norma Field to the question of what Japan owes comfort women used as sex slaves during the Pacific War and whether verbal apologies would ever be sufficient recompense. She noted that we cannot clothe victims in mere apologies.

My fear is that Sherman Austin will be released from prison into a community that welcomes him back briefly with a few rallies or events only then to say, what's done is done. My fear is that we will not offer him corrective opportunities, that we will once again abandon him. If we fail to challenge the very terms of his sentence and probation and act as if nothing happened, focusing instead on moving on and forgetting about the past, we, in effect, forgive the injustice and allow room for it to be repeated. The lost year of his life as an activist — or perhaps as a college student — cannot be restored per se, but can we allow it fade away as if it were never taken from him without losing something of ourselves? This question is the heart of all reparative work.

If we replace premises that immediately cast the testimony of those who suffer as suspect with spaces where stories of suffering are heard and

simply, they are inspired by the same rejection of differential power one might find reflected in the words of far less controversial figures, such as Martin Luther King Jr. who, in 1965, said, [all] life is interrelated, and we are all caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Like King, who was more radical and anti-imperialist than some would have us believe, young anarchists approach questions of social justice with the premise that no one is truly liberated from oppression until we all are free and that differential power is the biggest barrier to authentic freedom. And, lest we forget, many of the icons of the Left whose faces grace posters or whose books occupy prominent shelf space are or were anarchists (such as Emma Goldman, Mikhail Bakunin, or Noam Chomsky). I mention this if only to complicate the absurd image of anarchists as menacing teens in black-hood jerseys hatching evil plots.

While there are still certainly many people working in antiwar and social justice movements who contend that the elimination of hierarchical and differential power is overly idealistic, young anarchists counter that authentic social change toward a more equitable and sustainable future is contingent precisely on the abolition of not only rulers per se, but the very structures that allow exploitation expressed along power lines to occur. Because many young anarchists are far more savvy in their strategies than their critics would have us believe, they tend to focus on creating their own functional nonhierarchical communities, a strategy not unlike what one sees among better funded progressive groups, such as Global Exchange and Coop America, which sponsor the annual Green Festivals to promote sustainable and ethical living outside the bounds of dominant economic and social institutions. In fundamental ways, young anarchists share a vision of creating more equitable relationships through minimizing participation in damaging or oppressive lifestyle choices (what they drive, what they wear, what they eat, etc.) with more mainstream Leftist movements. Love and a sense of interconnectedness undergird what is maligned or dismissed as their youthful idealism, and yet these are the young people identified by both the establishment Left and law enforcement as dangerous and threatening.

The official campaign against anarchists has already escalated without much notice or resistance. On the heels of a successful national conference of anarchists of color in Detroit, law enforcement stepped up its efforts to intimidate and incarcerate these youth, who are organizing in ever greater numbers. On November 15, 2003, police raided a benefit party at the office of Critical Resistance hosted by New York City members of Antiauthoritarian and Anarchist People of Color (APOC), assaulting and arresting several of those in attendance even though no crime was being committed — other than

be defined or policed by those for whom our collective survival means nothing. It demands that we bear witness and actively respond to the experiences of those whose stories are elided, twisted, and repressed for profit. The stakes, the human costs, of this challenge are simply too high to do otherwise. And in looking at the case of Sherman Austin, I cannot help but see reparations as a constitutive element involved in taking up this challenge. Because the legal system can be hijacked to put a young man like Sherman in prison for encouraging other youth to think critically, we might start by looking at ourselves and what we, on the Left, owe to Sherman.

Reparations, writ large, remains a contested topic in part because of word itself. The notion of repair implies that something has been broken, and this is certainly an appropriate characterization in many cases of profound trauma and injustice. At the same time, the possibility of restoration and/or repair to a prior state is entirely beyond the realm of the possible in most cases of severe rupture. We cannot, in other words, fix what was broken by the atomic bomb in the sense of restoring that which has been irrevocably torn asunder. The dead cannot be brought back to life, and cancer born of exposure to atomic radiation cannot always be cured even with the best medical technology. Yet perhaps nowhere are amends and reparations more warranted than in cases where the destruction has been the most extensive, those very cases in which restoration to a pre-traumatic state is impossible. Perhaps we would be better off speaking of preparations along with reparations if our goal is to not only acknowledge and redress past and current wrongs (repairing where possible), but also to foster a society in which profit or gain at the expense of others is both disavowed and disallowed. All too often, however, the reality of suffering is denied before the topic of redress (let alone a better future) can even be raised. We see this expressed in countless ways even at the level of general public discourse.

Last year, I saw a panel debate on racism and the prison system on the BET program *Oh Drama*. I caught the show in time to hear Larry Elder ask a young woman in the audience, a new mother who was about to serve a five-year sentence for a first-time sentence for possessing PCP with the intention to sell, whether she graduated from high school. He then told her, without knowing any specific information, that it was her fault that she had a baby out of wedlock and any suffering she experienced was her responsibility. Elder not only demonstrated a complete lack of empathy, he engaged in a jarring form of public shaming. And while the other panelists came to the young woman's defense and objected to his statements, no one raised the issue erased by Elder's question, which presumed every woman has agency in pregnancy. For girls and women who are raped (and for girls and young women for whom

Sherman was only eighteen years-old on January 24, 2002, when over twenty armed federal agents showed up at his mother's rented home. Alerted to their presence by his sister, Sherman answered the door and was pulled outside while officers in bulletproof vests entered the home and began a search. His sister had left before Sherman went to the door, and his mother was not at home. The timing of the raid to coincide with his mother's absence, and the number of officers and agents involved amplified what already would have been an intimidating situation even for an older person. Very much alone, Sherman was questioned for four hours while his belongings were ransacked and confiscated. The details of this raid, which did not end in an arrest, and the ensuing efforts resulting in the one-year prison sentence are recounted at length in Merlin Chowkwanyun's October 13, 2003 essay for *Counterpunch*, *A Strange and Tragic Legal Journey: The Case of Sherman Martin Austin* (<http://www.counterpunch.org/merlin10112003.html>). This essay, which chronicles the government's case(s) against Sherman, remains the only extensive examination of Sherman's story to date. *Counterpunch*, the *San Francisco Bayview Newspaper*, *Democracy Now*, Indymedia, and Kill Radio are among the only news outlets to cover the story at all.

Of the events following the January 24 raid, Chowkwanyun writes,

A few days later, Austin, in his 1981 Toyota, drove to the New York City anti-World Economic Forum protests, held through the first few days of February 2002. Shortly upon arrival, Austin was snatched by the NYPD on Feb. 2, 2002 with around 25-27 other activists before he even marched. Later, while waiting for someone to pick him up from a courtroom, Austin instead found himself arrested by FBI agents and then detained in a federal maximum-security prison

While the charges filed at this time were, as Chowkwanyun explains, subsequently dropped, Sherman was routinely questioned by police upon his return to Southern California. Faced with the constant police intrusions on his day-to-day activities and reportedly urged by his federal public defender, Ronald Kaye, not to go public with his story or draw attention that might otherwise earn the ire of the court, Sherman was increasingly isolated from possible sources of support. He accepted a plea agreement under the threat that a terrorism enhancement would be applied to any sentence should the case go to trial and he be found guilty; such an 'enhancement would result in an additional twenty years being tacked to any sentence. Once again turning to Chowkwanyun's exhaustive account:

In his testimony, Kurtz portrayed academic area studies programs (the usually terminal Masters programs in fields such as Middle Eastern, East Asian, and African Studies) as hotbeds of anti-american subversion that use taxpayers' dollars to advance theories that threaten national security. One might be able to dismiss this contention as ridiculously distorted and inaccurate if Kurtz's suggestions to Congress had not been taken seriously and adopted. In his testimony, Kurtz takes particular issue with the late Edward Said and postcolonial studies, which he attributes to Said, as indicative of the obstacle academic international studies presents to national security. Kurtz even contends that conservative thinkers are at an institutional disadvantage in area studies programs that promote anti-americanism, a canard that overlooks who runs this country and our universities, as well as how marginalized academic dissent is — how virtually impossible it is for young academics to engage in open critiques of U.S. foreign policy and hope for tenure.

Kurtz proposed a supervisory board to oversee Title VI and suggested that members of the board reflect key branches of government concerned with education and international affairs, along with public appointees named by the White House (former ambassadors, business leaders, heads of think tanks, etc.). The proposed board, including the Secretary of State, National Security Advisor, and Commander of the National Defense University, would, among other things, assure that area studies programs reflected national interest. Until the time when such a board was established, Kurtz proposed that the twenty million dollar post-9/11 increase in Title VI funding be redirected to the Defense Language Institute. This would mean that scholarship money that could have gone to students pursuing a wide variety of research interests would be redirected to students poised to work for defense and intelligence agencies.

Some readers may also have heard of the proposed legislation requiring that schools ensure what's being called ideological diversity in order to receive federal funding. For those of us with an underrepresented ideology or two, this could sound very attractive. Ensuring that diverse voices were valued might, for example, improve job security and workplace safety for teachers whose outspoken opposition to capitalism, imperialism, or white supremacy has been met with reprimands, unpaid leave from the classroom, dismissal, or even security guards in the case of one Columbia University professor. And more to the point, it could seem like a good way to make sure students are exposed to diverse ideas and perspectives. But the so-called ideological diversity being proposed in the Senate is not what we might hope. Rick Santorum, a Republican Senator from Pennsylvania perhaps best-known as a vitriolic homophobe, emerged as the champion of this legislation. He and

The case of another Black dissident with an international audience who recently came under attack underscores my inflection of the free speech debate here. In issue no. 27 of *Left Curve*, Ewuare Osayande writes that to defend Amiri Baraka (the embattled poet laureate of New Jersey whose poem *Somebody Blew Up America* has been the object of a sustained campaign of attacks and censure) solely on the grounds of his right to free speech and expression belittles not just Baraka and his contribution to African American struggle for liberation and self-determination, but belittles that movement itself. In other words, Osayande observes that the free speech defense does not require that we actually engage the details of the charges leveled against Baraka's poem *Somebody Blew Up America* or even the poem's content — only that we agree to tolerate its existence. For Osayande, this sort of defense is passive and, at worst, complicit in maintaining the power structures that continue to position voices such as Baraka's on the periphery. Because the poem itself details histories of racist and violent oppression and asks questions about responsibility, Osayande's critique is especially appropriate. The questions themselves are tougher to engage than a facile defense of any poet's right to express her or himself freely. Osayande sees the attacks on Baraka as more than attacks on a poet's right to free speech because they constitute the repression of the collective speech, the collective history, the collective struggle of a people that has not just been censored but repressed. What gets left out of the free speech defense, as well as the slanderous attacks against Baraka, is, of course, the tremendous love and sense of solidarity that fuels the refusal to accept oppression and the false logic that would have us ignore the very histories that Baraka urges us to remember in the poem. Baraka writes about the oppressed from a position of identification, and, like the young anarchists of color, he rejects the values of those whose fortunes and privileges are earned through the enslavement, exploitation, and execution of others.

While the Baraka controversy is a fitting point of comparison, perhaps no case in the post-September 11 era of heightened domestic repression and criminalized dissent reveals more about the increasing gap between what passes for 'justice' and what is done in justice's name than Sherman's. The FBI's pursuit of Sherman and his subsequent imprisonment demonstrate that our collective struggle is, as Osayande argues, about more than protecting our right to free speech; it is about understanding whose speech and what speech is outlawed and why. Looking at who Sherman is and what he says more closely, I am struck by the obscenity of his incarceration and troubled by what it reveals about our collective failure to care for and encourage our youth when they struggle to make a positive difference in a horribly unjust world.

Furthermore, I would argue that we, as adult society, are collectively guilty of neglect and owe Sherman and those like him reparative damages.

When I first met Sherman, shortly before he surrendered himself to serve the one-year sentence in federal prison, I was immediately struck by the completely unthreatening personality of the young man who had been deemed a would-be terrorist. He was so unassuming, so much smaller than I had imagined, and so palpably tender that when he smiled at me and said hi in a soft voice, I wondered if this might be another boy, one who just happened to look a lot like the youth who had been vilified by the FBI as a threat to national security. My reaction to meeting Sherman was not unique. Evelyn McGinnis, a Department of Corrections Senior Staff Psychologist assigned to the case, reported that Sherman, who has no history of violence, does not represent a risk to society, whatsoever according to the transcripts of the sentencing hearing. McGinnis also described Sherman as a very, very peaceful, mild-mannered person who is likely to become a victim by virtue of his youth, slight build and naiveté. He is totally unprepared to defend himself in [prison]. He is more likely to become brutalized by the experience than to learn from it. That this assessment came from an employee of the corrections system should give even the most skeptical readers pause here.

At his detention hearing in New York on February 7, 2002, after the police sweep referenced above in Chowkwanyun's article, Sherman's attorney there, Susan Tipograph, stated:

He's never engaged in an act of violence. He's never possessed implements of violence. He's never been charged with violence. He's never been charged with trying to hide his identity or anything else. And I think it's noteworthy, Judge, that while you don't presumably have jurisdiction over this, Mr. Austin, who is eighteen years-old, who was not arrested or charged with committing any acts of violence, is being held on Unit South of the MCC. I believe his closest neighbor is the people charged with the bombing of the U.S. embassies in Africa.

Tipograph also expressed concern for Sherman's safety, noting that prison guards had referred to him as a terrorist. The eighteen year-old with no history of violence was, however, continually mistreated and exposed to ever greater dangers — from guards to white supremacist inmates, some of whom had been told there was a price on Sherman's head. The unjust incarceration required that no one see or hear the real Sherman; it required, rather, that he be depicted from a distance as a bomb-making Black man and as a would-be terrorist.

Admittedly, my reaction to his gentle presence and the gross inaccuracies of how he was represented by the prosecution and Judge Stephen V. Wilson (a Reagan appointee whose biases are clear in the court transcripts) played a large part in my decision to take an active role in drawing attention to his case. However, as I learned more, it became increasingly clear that what has happened to Sherman is indicative of many larger troubling trends, such as the ongoing criminalization of youth of color, the demonization of anarchists, and the success of the escalating war on critical thinking. The latter has been of growing concern to me as an academic. The government that placed an internet activist behind bars and promises to deny him access to computers upon his release (as part of the terms of his draconian probation) in order to prevent him from communicating his ideas to others is also reaching into the halls of academe, where dissident professors face a much less harrowing, but nonetheless alarming, form of official censure. Legislating limits on critical thinking in universities has become an extension of the so-called war on terrorism in the halls of Congress. Recent changes, both proposed and enacted, to Titles VI and IX of the Higher Education Act involve amending funding requirements (or defunding programs) in order to police and further silence the already marginalized community of academics who offer engaged critical analyses of the kinds of injustice Sherman addressed on his website.

In a press release issued on September 17, 2003, Committee on Education and the Workforce Chairman John Boehner announced that the Education Subcommittee approves Hoekstra Measure to Strengthen International Studies in Higher Education, Ensure Programs Fulfill National Security Needs. Strengthening International Studies serves a euphemism here for defunding certain university international studies programs, redirecting Title VI money to the Defense Language Institute, and issuing a mandate to all international studies programs to encourage scholarship in the service of U.S. state interest. According to the press release, Members of the U.S. House Subcommittee on Select Education, chaired by Rep. Pete Hoekstra (R-MI), today approved H.R. 3077, the International Studies in Higher Education Act. The bill [...] is part of ongoing Republican efforts to renew and reauthorize the Higher Education Act and improve postsecondary education in America. What is being renewed and reauthorized is the Bush administration's stranglehold on the national discourse surrounding September 11 and the doctrines of preemptive and perpetual war.

Stanley Kurtz, a Research Fellow at the Hoover Institution and a Contributing Editor for the conservative *National Review* Online testified before the Subcommittee on Select Education in a hearing on *International Programs in Higher Education and Questions about Bias* of June 19, 2003.

In the first week of August 2002, Austin's legal troubles resurfaced. Before entering any new charges, federal prosecutors offered Austin a plea agreement that, if accepted, would have him plead guilty to only one charge, distribution of information with intent. Additionally, according to this plea agreement, prosecutors would not charge Austin for illegal explosives possession or illegal computer activity, the two other alleged felonies listed on the prior warrants. If Austin accepted the agreement, federal prosecutors would recommend a sentence of one month in prison, three months in a community correctional facility, and three years of supervised release. Austin did not initially accept the plea and originally intended to go to trial on principle. But he later learned that this might mean facing a 20-year sentencing enhancement if convicted under a United States Sentencing Commission guideline created in the mid-1990s and the scope of which expanded greatly after passage of the 1996 Anti-Terrorism and Effective Death Penalty Act and the 2001 USA Patriot Act.

At the time of sentencing, no one raised the obvious question as to what extent a plea made under such circumstances could be truly voluntary. And subsequent efforts to examine possibilities for a plea withdrawal have yet to culminate in a remedy for the bully tactics used to scare a young man into accepting a plea rather than face twenty or more years in federal prison for the words and actions of another youth.

Because the prosecution of Sherman Austin was based on the distribution of and intent behind text that was authored and posted by the other boy, efforts to defend him based solely on his right to free speech run the risk of conflating his political dissent with his relationship to the criminal material in question, the same logical flaw at the heart of the case against him. Therefore, understanding some of the limits and pitfalls in debates about free speech can help us decipher some of the more confounding aspects of *The United States v. Sherman Martin Austin*. The crime for which Sherman was imprisoned (the technical content of the illegal link) served as a cover for what the government actually sought to sanction (the political content of Sherman's website). While it is not illegal to espouse anarchism, anti-capitalism, or anti-racism per se, Dianne Feinstein's law provides a means of using those views (as intent) to assign illegality to otherwise legal material (bomb-making instructions). Dissenting views and speech were at issue in the case, but they mattered precisely because of who was dissenting and how. In other words, a tenuous connection to the actions of the other boy was sufficient grounds for imprisonment because Sherman is a young Black anarchist who effectively reached a large international audience.

his fellow ideological diversifiers want to revise Title IX of the Higher Education Act, the part mandating sexual equality in education that is popularly associated with women's sports in schools. If this legislation proves successful, schools would need to demonstrate both sexual equality and ideological diversity in order to receive federal funding. The problem is in Santorum's very specific and misleading definition of what constitutes ideological diversity. He and his supporters have made clear that the purpose of this legislation would be to penalize schools where faculty, staff, or students make public criticisms of Israel. Santorum and his backers contend such criticism is anti-semitic. In other words, this legislation would make funding dependent on a school's ability to prove that it does not allow open criticism of Israel. Ideological diversity, then, is really doublespeak for *de facto* censorship.

Recently, an increasing number of academics who speak out against war and the Occupations of Palestine and Iraq have come under attack. At the University of California, Riverside, Ethnic Studies Professor Dylan Rodriguez spoke out against the war at a teach-in. A local reporter's efforts to publicize Rodriguez's antiwar position generated a storm of controversy, and Rodriguez was inundated with hate mail. The similar story of Nicholas De Genova, an Assistant Professor of Anthropology and Chicano/Latino Studies at Columbia University, received more national publicity. At an antiwar teach-in on his campus, De Genova said that the only true heroes are those who find ways to help defeat the U.S. military. If we really believe that this war is criminal ... then we have to believe in the victory of the Iraqi people and the defeat of the U.S. war machine. De Genova also linked expressions of patriotism to white supremacy and explained his wish for a million Mogadishus, a wish, in his words, for the defeat of the U.S. war machine and a victory for the cause of human self-determination. This latter statement was picked up and, of course, quoted out of context, by Fox News and other corporate national news media. De Genova received a barrage of death threats. When he returned to teaching a week after the event, he was accompanied by security guards. And the academic rumor-mill is now replete with cautionary tales about how this episode is sure to ruin De Genova's chances of tenure. The message to young academics is clear: keep your dissent to yourself if you want a job. The message to young anarchists is much more frightening: shut up or get beat up and jailed.

The challenge facing us demands that we do more than defend the right of Sherman Austin or Nicholas De Genova to free speech. It demands that we also pay attention to what they say. It demands that we resist the exhortations to see them as trouble makers and refuse to allow our thought to

one individual allegedly holding an open container of alcohol outside the event. With the exceptions of an interview with Maruyan Tiruchelvam, one of those assaulted, on *Democracy Now* and some reports to indymedia sites, this event went largely uncovered. As Tiruchelvam explained to *Democracy Now's* Amy Goodman, several of the people who were assaulted by the police did not get to go the hospital until after they were released even though some of their injuries were serious.

Police surveillance of anarchists was addressed in Eric Lichtblau's *New York Times* article (F.B.I. Scrutinizes Antiwar Rallies) of November 23, 2003. Lichtblau cites an October, 2003 confidential memorandum the FBI sent to law enforcement agencies regarding the collection of information on antiwar activists. While the memo urges police to assist the bureau in the monitoring of all protest activities, it singles out anarchists and extremist elements as special subjects of information gathering efforts. Sherman Austin is no stranger to such police and FBI monitoring. Even a casual review of his case reveals an array of resources and creative (mis)interpretations that were deployed to keep track of and criminalize his writings, actions, movements, and associations. Postings about concealing weapons that he allegedly made to internet chat rooms and glass iced tea bottles awaiting recycling in his mother's home were all introduced, at various points, to stand as evidence for Sherman's intent to foment violent revolution. Sherman, however, did not write the messages, which also originated from a server that was not his, and the empty bottles, which prosecutors claimed were ready to hold molotov cocktails, could be found in many homes, including my own. These details disappeared from the prosecution's case as it progressed. While much of the document trail used to manufacture a case against him was abandoned because of its complete untenability, the murky question of intent remained central, becoming, in the end, the very basis for his sentencing, and his politics became the grounds for establishing that intent. Sherman himself and many of those close to him have characterized this experience as tantamount to being charged with a thought crime.

As the following discussion suggests, the government apparently wanted to silence Sherman before it had a workable plan to imprison him, and this goal was facilitated by the post September 11 atmosphere of suspicion coupled with the increased freedom to pursue (without cause) afforded by the USA PATRIOT ACT. Indeed, police and FBI agents did raid Sherman's home, and they did not initially produce their voluminous warrant when his mother requested to see it, making her wait several hours. And the curiously changing definitions and shifts in focus as to what Sherman did wrong beg the question as to what the government actually hoped to achieve by imprisoning him.

childhood trauma might complicate agency in subsequent sexual activity), this question is, at the very least, a cruel one.

Elder's comments also cut off any room to discuss the broader and equally troubling questions this young woman's case raised. There was simply no room to discuss how we, as a society, might help provide corrective and/or reparative support to her. Elder reduced the complexity of her situation to a discussion of personal responsibility, and in doing so, he eliminated the possibility for exploring ways of affecting meaningful change, of discussing our responsibilities. By assigning all responsibility to the young woman in question (without knowing anything about her), he, in effect, sent the message that we, the audience, do not have to do anything. I could not help but wonder what might have come from a different discussion, one, for example, that began with a panelist inquiring about the young woman's experiences and what it felt like to be her at the time when she was arrested. I wondered what opportunities her story might have provided for us to better understand social problems and explore ways of engaging in reparative action that might also prevent future suffering.

The ability to restore a person to a pre-abused state or the world to a pre-slavery state, for example, is clearly beyond the realm of the possible, and some reparations discourse hinges on a romantic nostalgia that an earlier period was somehow better and as yet unbroken. Nevertheless, reparations work offers uniquely meaningful possibilities for truth-telling and transformation. In the courtroom, this can happen through the pairing of survivor testimony with awarded damages. In the South African Truth and Reconciliation Commission Tribunals, the details of suffering and public claims of responsibility were understood by many as corrective to a certain extent — even though the amount of monetary reparations offered to even the victims of the grossest abuse was paltry. But because this process has not been followed with sustained strategies for addressing ongoing oppression, social injustice and widespread suffering continue to make life there very difficult for many of the same people who were the most oppressed under apartheid.

The reluctance or refusal to participate in a public discussion of responsibility for suffering is often proportional to the severity and duration of that suffering. The United States' and Israel's refusal to participate in the UN Conference on racism in Durban, South Africa must be understood in terms of the magnitude of long-term suffering both states would have been compelled to address. Certainly the reparations the United States owes for slavery, segregation, genocide, and broken land treaties, for example, would require uneasy and complicated questions as to how to redress profound and sustained historical wrongs that impact large numbers of people. Based on such clear

being subjected to official repression with alarming regularity and why the establishment Left allows these youth to be sacrificed to the Bush administration's policies of domestic repression even when it speaks out on behalf of others as somehow more deserving of support. The Left's abandonment of anarchist youth relies on a continued mischaracterization of them as troublemakers who are, unlike good activists, the appropriate objects of stern law enforcement. And, as I will argue at the end of this essay, the failure of the Left to respond to Sherman and others like him leaves open room for the criminalization of dissent to spread and, therefore, urgently requires corrective action.

The widespread attacks on anarchists follow a predictable formula: they are maligned as disgruntled youth in black who see protests as opportunities to engage in random violence and mayhem. Lamenting what they perceive to be immature attempts to discredit protest actions, many liberals and even some progressives contend that irresponsible actions by these kids should be policed. For example, in an editorial (Free speech for peace people) published in, among other newspapers, *The Sacramento Bee* on November 27, 2003, Molly Ivins invokes the myth of the anarchist ne'er-do-well, writing, [T]hese anarchists wear black masks and run around breaking store windows, a tactic that is not only a breach of the peace but also considerably less effective against GATT and NAFTA than singing 'Kumbayah'. Although presumably intended as part of a sustained joke about how unthreatening the peace movement is (hence the hyperbolic reference to 'Kumbayah'), this statement relies on the Seattle model of anarchist vilification (window-breaking kids in black). Ivins also suggests,

If the FBI is worried about anarchists opposed to free trade agreements, why doesn't the FBI infiltrate anarchist groups that are opposed to free trade agreements, instead of the peace movement?

Ivins' question here reinforces the overdetermined myths as to who young anarchists are.

Leaving aside discussions about how many of those who appear to have carried out the attacks on stores and offices in Seattle and elsewhere appear to have been undercover police agent provocateurs (hardly anarchists), I would like to highlight what is conveniently left out of the fantasy image of young anarchists as troublemakers, and that is their ideological seriousness of purpose. Young anarchists, as different as they may be in terms of their backgrounds and specific concerns, share a commitment to an antiauthoritarian rejection of differential power relations or hierarchy. Put

taken seriously, we might begin to lay the foundations for meaningful reparations, as well as preparations for a just society in which reparative work becomes increasingly unnecessary. For this reason, we need to hear more from Sherman — to hear about what it felt like to be faced with the plea bargain, to learn about his days in the hole in a federal prison in Oklahoma, and to understand what yearnings and goals were forever changed by his imprisonment. And in order to defend ourselves from the government's attacks on activists — anarchists and others — we need to learn from him what to expect so that we can organize more effectively. Dianne Feinstein has already urged prosecutors to use her law and apply it more vigorously, and police informers have infiltrated activist groups with a renewed sense of COINTELPRO entitlement. (For example, one man in a Northern Californian activist group was discovered to be working in a police anti-terrorism unit; his obituary alerted members of the local peace and justice group as to his real identity.) The warning signs are clear, and we should all pay closer attention to what happens to young anarchists of color in the coming months and years. They are at the vanguard, and we also have a special responsibility to them if we care about our own futures.

Sherman's sentence is scheduled to end in September of 2004. Until then and barring any transfers, you can write letters to him at: TCI Tucson, Sherman Austin, 51565-054, FCI Tucson, 8901 South Wilmot Road, Tucson, AZ 85706. You can also make donations to his legal fund or write to him in care of his mother, Jennifer Martin Ruggiero, at 12115 Magnolia Blvd. #155, North Hollywood, CA 91607. Information on how to support Sherman is available at: <http://www.freesherman.org>, and updates on his case can be obtained by joining the following mailing list: shermanaustinlegal@lists.riseup.net.

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of another youth's website which, through a variety of Orwellian circumlocutions, was deemed criminal for reasons attributed to Sherman's supposed intent.

On September 3, 2003 Sherman surrendered himself to begin his term in federal prison for website material that was authored by the other boy and linked to a free-hosting area Sherman provided from a server he ran for his own site, www.raisethefist.com. The other boy's website included a direct link to the Reclaim Guide, a manual featuring crude instructions on how to build explosives. While this boy, who is the white son of wealthy Republican parents in Orange County, has not been charged with any crime, Sherman, who had no part in writing or posting any of the offending material, was imprisoned for violating 18 U.S.C. 842 (p)(2)(A), a 1997 law sponsored by Senator Dianne Feinstein, a California Democrat, which makes it illegal to distribute information related to explosives with the intent to use that information in a federal crime of violence. FBI agents interviewed the other youth and are aware that he is responsible for the bomb-making information that was linked to Sherman's site. According to the government, Sherman's purported crime is not the distribution or authoring of bomb-making information, activities the CIA, white supremacist groups, and those who target abortion providers can pursue with impunity. As many have noted, books with bomb-making instructions can be ordered through amazon.com, and some groups with actual histories of violence include how to guides on carrying out assassinations on their websites. None of these groups or individuals have been charged under Feinstein's law. Neither have those who distribute information related to explosives for the purpose of exposing corruption and injustice. For example, at a benefit for Sherman held shortly before he began his prison sentence, Zack de la Rocha, formerly of the band Rage Against the Machine, shared an anecdote that underscores the selectivity of Sherman's prosecution. He recalled,

The first Rage Against the Machine t-shirt that was ever put out had a cartoon with instructions in Spanish on how to make a molotov cocktail. Looking back, it was somewhat of a silly provocation, but the interesting thing about it was that it was authored by the CIA. These cartoons were used in the training of [the Contras]. [...] I mention this only as a glaring example of the level of hypocrisy that not only runs right through Sherman's case, but is also weaving its way into the fabric of our everyday lives.

Sherman Austin and Zack de la Rocha have expressed similar criticisms of U.S. foreign and domestic policies, and efforts have been made to

Jail Break Press

Mission Statement

Jail Break Press is a collective of anti-authoritarians, indigenous autonomists and anarchists of color who believe that our ideas about authority, justice, and resistance have traditions that are distinct enough from traditional Anarchist views that our words and voices need to be presented independently.

Since the mid-nineties, a new generation of activists of color have been involved in various political projects and networks of communication. Jail Break Press seeks to put those different views out and spark dialogue and debate to see where we differ, where we agree, what unites us, and what defines us. We look to publish writings that are about the various struggles in communities of color and the strategies we use to overcome them. We're always looking for more voices to get this party started.

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writings by and about anarchists
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Youth

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